

### AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application. At page 2 of the 11.5.07 Office Action, the Examiner requested that "A new claim set indicating the status of all the claims should be submitted". Accordingly, the below set of claims both amends the currently-pending set of claims submitted in the 10.14.05 Supplemental Amendment, and responds to the Restriction Requirement set forth in the 11.5.07 Office Action.

### Listing Of Claims:

1. (Currently Amended) A medical device test element for determining the level of phenylalanine in a blood sample said test element comprising:

A test strip comprised of

a layer onto which the sample of blood is applied spreading layer, wherein the spreading layer is capable of having a sample of blood is applied thereon; and

a filtering layer, wherein the filtering layer is capable of removing blood cells from the blood sample;

and a dry reagent layer containing a material that is interactive with phenylalanine or a precursor of a reaction product of phenylalanine, wherein the dry reagent layer comprises a) an enzyme which reacts with phenylalanine converts phenylalanine to phenylpyruvate; and b) a buffered enzymatic color-imetric reagent, wherein a reaction signals the presence/absence of phenylalanine the degree of reaction of the phenylalanine with the enzyme is measured by the degree of reaction of the buffered enzymatic color-imetric reagents with the product or products of the enzyme - phenylalanine reaction;

a reading device for measuring the degree of reaction of the buffered enzymatic colorimetric reagent or reagents with the product or products of the enzyme-phenylalanine reaction; and

a storing device for storing at least two read measurements of the degree of reaction of the buffered enzymatic colorimetric reagent or reagents with the product or products of the enzyme-phenylalanine reaction.

and e) a hydrophilic polymer.

2. (Canceled)
3. (Currently Amended) The ~~test element~~ medical device of claim 1, wherein the dry reagent layer comprises enzyme is phenylalanine dehydrogenase.
4. (Canceled)
5. (Canceled)
6. (Canceled)
7. (Currently Amended) The ~~test element of claim 1, wherein the hydrophilic polymer is gelatin or agarose~~ medical device of claim 1, wherein the dry reagent layer is further comprised of a compound selected from the group consisting of gelatin and agarose.
8. (Currently Amended) The ~~test element~~ medical device of claim 1, wherein the colorimetric reagent is thionine, Rose Bengal, Methylene Blue, Azure C or a tetrazolium salt.
9. (Currently Amended) The ~~test element~~ medical device of claim 51, wherein the dry reagent layer is further comprised of an electron mediator.

10. (Currently Amended) The ~~test element~~ medical device of claim 1, further comprising a support layer. ~~9, possibly comprising a means to allow phenylalanine determinations to be downloaded to physicians offices.~~
11. (Canceled)
12. (Canceled)
13. (Currently Amended) The medical device of claim 1, further comprising means to download at least two results from the medical device.
14. (Canceled)
15. (Withdrawn)
16. (Canceled)
17. (New) The medical device of claim 1, wherein the dry reagent layer enzyme converts phenylalanine to phenylpyruvate.
18. (New) The medical device of claim 1, wherein the spreading layer is in fluid contact with the dry reagent layer.
19. (New) The medical device of Claim 1, wherein the filtering layer removes all proteins over 10 kD from the blood.